

**JOHN F. COOK**  
MAYOR

**JOYCE WILSON**  
CITY MANAGER



**CITY COUNCIL**  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

**AGENDA FOR  
REGULAR COUNCIL MEETING, COUNCIL CHAMBERS  
TUESDAY, OCTOBER 11, 2005  
9:00 A.M.**

**AND**

**SPECIAL COUNCIL MEETING/COUNCIL WORK SESSION  
COUNCIL/STAFF QUESTION AND ANSWER SESSION  
10TH FLOOR, CONFERENCE ROOM  
MONDAY, OCTOBER 10, 2005  
4:00 P.M.**

**ROLL CALL**

Invocation – Police Chaplain Carlos Flores  
Pledge of Allegiance

**MAYOR'S PROCLAMATIONS**

- 1. EL PASO LATINO AIDS AWARENESS DAY**
- 2. DOMESTIC VIOLENCE AWARENESS MONTH**
- 3. ARTS INTERNATIONAL ART APPRECIATION MONTH**
- 4. NATIONAL MARTIAL ARTS DAY**
- 5. MEDICAL ASSISTANTS WEEK**

**CALL TO THE PUBLIC – PUBLIC COMMENT**

**This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.**

A sign-up form is available on line at [https://www.elpasotexas.gov/city\\_clerk/contact\\_public.asp](https://www.elpasotexas.gov/city_clerk/contact_public.asp) for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

## NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

## CONSENT AGENDA

**1. APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for the Regular City Council Meeting of October 4, 2005 and the Special City Council Meeting of August 29 (Budget Adoption), September 26 (Agenda Review and October 3, 2005 (Agenda Review).

**2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

**3. RESOLUTIONS:**

**3A.** That the City Manager be authorized to sign a subscription agreement, an order form, and all related materials by and between the CITY OF EL PASO and WEST, for the provision of legal research products, including both internet and print resources. The subscription agreement shall be for a period of three (3) years, and shall include updates and continuing services for all internet and print materials. [City Attorney's Office, Raymond L. Telles, (915) 541-4550]

**3B.** That the City Council approve the recommendation of the Board of Directors of the El Paso Downtown Management District that the following persons be named directors of the District for four year terms:

William B. Hooten (President)  
Mike Dipp, Jr. (Vice-President)  
Sal Holland

Mike McQueen  
Russ Vandenberg  
Rick Suarez

[Economic Development, David G. Dobson, (915) 541-4674]

**3C.** That the City Manager be authorized to sign Contract of Services between the City of El Paso and Project ARriba Advanced Retraining and Redev, Inc. ("Grantee"), a 501 (c) 3, a tax exempt, non-profit Texas corporation. Pursuant to the Contract, Grantee shall provide training and case management services to eligible clients who require occupational skills. The Contract shall continue in effect until August 31, 2006; the cost to the City will not exceed \$175,000. [Economic Development, David G. Dobson, (915) 541-4674]

**3D.** That the City Manager of the City of El Paso (the "City") be authorized to sign that certain ATM License Agreement for El Paso Employees Federal Credit Union between the City and the El Paso Employees Federal Credit Union which allows the installation of several Automatic Teller Machines (ATMs) on City Property. [Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

**3E.** That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of FINANCIAL SERVICES CHIEF FINANCIAL OFFICER is hereby revised as specified in the

duties and responsibilities attached hereto. The Code will remain 5279. The Grade shall be EX A.

Salary Range: \$86,202.28 - \$135,647.76 (EX A)

Fund Source: 10010705-01101-10000

[Human Resources, Linda Ball Thomas, (915) 541-4509]

- 3F.** That the City Manager be authorized to sign, on behalf of the Parks and Recreation Department and other City departments, an Agreement with the American Red Cross providing co-sponsorship by the Parks and Recreation Department for the "Ready El Paso" training day to be held on Saturday, October 29, 2005, at the Hilos de Plata Center, for the purpose of providing essential emergency preparedness and lifesaving training to the citizens of El Paso. The City, pursuant to Section 13.24.200, El Paso Municipal Code, will waive the user fee for this event.

[Parks and Recreation, Norman Merrifield, (915) 541-4331]

- 3G.** Placing a lien on the following properties (legal description on file with the City Clerk) and in the following amounts for work performed by the City pursuant to Chapter 9.04 [Environmental Services, Ellen A. Smyth, (915) 621-6719]

1. 5000 Blk of Pershing (District 2)	\$449.24	Albert Malooly
2. 3727 Porter (District 2)	\$ 48.71	Michael E. Ahumada
3. 150 Cherry (District 3)	\$405.94	Juan & Maria Flores
4. 5637 Dearborne (District 4)	\$313.93	David O. & Rosa M. Lopez
5. 10056 Manitoba (District 4)	\$221.91	Deutsche Bank National Trust Co.
6. 11409 Patricia (District 5)	\$289.57	Jose S. & Armida Martinez
7. 9853 La Morenita (District 6)	\$113.66	Pedro A. & Silvia Villalobos
8. 9853 La Morenita (District 6)	\$ 87.68	Pedro A. & Silvia Villalobos
9. 9904 La Morenita (District 6)	\$259.80	Lorena & Mike Valenzuela, Jr.
10. 9315 Socorro (District 6)	\$535.84	Maria E. M. Wiseman & Three c/o/ Aida Hernandez
11. 10464 Brian Mooney (District 7)	\$194.85	Susan G. Molina

- 3H.** That the appraisal roll is approved by City Council and does constitute the tax roll for 2005 of the City and all entities for which the City Tax Assessor/Collector collects taxes. [Tax Office, Juan Sandoval, (915) 541-4369]

#### **4. BOARD APPOINTMENTS:**

- 4A.** Michael R. Gibson to the Airport Board by Representative Susie Byrd, District 2.  
[Representative Susie Byrd, (915) 541-4416]

- 4B.** Annabell Perez to the Committee on Border Relations by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]

- 4C.** Robert McGregor to the Art Museum Advisory Board by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]
- 4D.** Carlos Gallinar to the City Plan Commission by Representative Steve Ortega, District 7. [Representative Steve Ortega, (915) 541-4124]
- 4E.** Ted Richardson to the Airport Board by Mayor John F. Cook.  
[Mayor John F. Cook, (915) 541-4015]
- 4F.** Ana Dueñez to the Community Development Steering Committee by Representative Jose Alexandro Lozano, District 3.  
[Representative Jose Alexandro Lozano, (915) 541-4515]

**5. CHANGE ORDERS:** [Financial Services, Byron E. Johnson, (915) 541-4308]

- 5A.** Approve Change Order No. Three (Construction Change) to Golf Works, Inc. for Contract No. 2005-050, EPIA Golf Course project, located at El Paso International Airport, Global Reach, for an increased amount of \$18,887.00.

The purpose of this change order is to:

- 1.** Provide for modifications to lake fill line and electrical work to motorized operating valve as stated in request \$9,882.00.
- 2.** Delete Bid Item XVI – Landscape Installation and Delete Item XVII – Wetland Habitat Under Section A. (\$19,530.00)
- 3.** Add Line Item to provide for installation of Drip Irrigation System to all proposed trees and shrubs. \$139,495.00
- 4.** Decreased Bid Item III, Line Item 3, Architectural Grading. (\$120,000.00)
- 5.** Increased Allowance for Alternate Bid Item 18, Rustic Walk Bridge. \$9,040.00

The scheduled completion date is December 7, 2005

[Financial Services, Byron E. Johnson, (915) 541-4308]

- 5B.** Approve Change Order No. Three (3) (Scope Change) to J. A. R. Concrete, Inc. for Contract No. 2005-124, Alabama Street and Drainage Improvements project, located at McKelligon Canyon Road to Fred Wilson Avenue (District 2), for a decreased amount of <\$13,900.00>. The purpose of this Change Order is to deduct from Line Item No. 10, Subgrade Preparation 27,800 sy @ \$1.50/sy <\$41,700.00>, and to add new Bid Item No. 10A Non-Scarified Subgrade 27,800 sy @ \$1.00/sy \$27,800.00, as requested by the Departments of Engineering and Street. The revised scheduled completion date of November 2005 remains unchanged.

The funding sources for the work described under this Change Order are 14200403-PBE04ST102-29116-508027.

[Financial Services, Byron E. Johnson, (915) 541-4308]

- 5C.** Approve Change Order No. One (1) (Construction Change) to Alpha Southwest, Inc. for Contract No. 2005-134, El Paso International Airport Lone Star Golf Course Well Equipping and Well Testing project, located at 1510 Hawkins Boulevard (District 3), for a decrease in the amount of <\$196,927.73>. The completion date of May 2005 remains unchanged. The purpose of this Change Order is due to unforeseen conditions of low levels of ground water and the poor

quality of water encountered, which did not comply with the minimum requirements for irrigation, left no recourse but to abandon the well, per the request by Engineering and El Paso International Airport.

Funding for this change order is 62620022-PAP0033-41074-508027.

[Financial Services, Byron E. Johnson, (915) 541-4308]

- 5D.** Approve Change Order No. One (1) (Construction Change) to Alpha Southwest, Inc. for Contract No. 2005-196, El Paso International Airport Lone Star Golf Course Rehabilitation of Water Well project, located at 1510 Hawkins Boulevard, (District 3) for a decrease in the amount of <\$162,361.00>. Unforeseen levels of deterioration of the existing well shaft prevented the completion of the work to bring the water well back to efficient production levels required for irrigation, resulting in the abandonment of the water well as requested by the Departments of Engineering and El Paso International Airport. This Change Order adds zero days to the completion date of August 13, 2005.

Funding for this change order is 62620022-PAP0033-41074-508027.

[Financial Services, Byron E. Johnson, (915) 541-4308]

- 6.** Request that Council award and exercise the Twenty-Four (24) month option from November 24, 2005 to November 24, 2007 for Contract #2003-209-C3 with Bazaar Uniforms & Men's Store, El Paso, Texas, for Uniforms. Financial Services is authorized to issue Purchase Orders as necessary during the contract period.

Option No.: ONE [OF ONE]  
 Amount of Award: \$100,000.00 (Total for two years)  
 Account No's: 34010289-503120-40403  
 34010291-503120-40403  
 34010293-503120-40403  
 34010294-503120-40403  
 34010296-503120-40403  
 34380001-503120-40450  
 34380036-503120-40450

Funding Source: Uniforms and Apparel Supplies

Department: Environmental Services

[Financial Services, Jesus M. Juarez, (915) 541-4317]

**7. BIDS:**

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

**7A.** Solicitation No.: 2005-253 Alethea Park Parking Lot Improvements  
 Location: 901 Althea Park Drive  
 Contractor: Matyear Construction Co., Inc.  
 El Paso, TX

Department: Parks and Recreation  
 Funds Available: 31130550-PPW0046032YR2-60035-508027  
 Funding Source: 2000 Quality of Life Bonds  
 Items: Base Bid I \$124,375.85  
 Total Award: \$124,375.85 (Estimated)  
 Estimated Completion Date: December 30, 2005  
**District (s): 1**

**RECOMMENDATION:**

The Departments of Engineering and Parks and Recreation recommend the award of this contract to Matyear Construction Co., Inc. the low responsible, responsive bidder. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract.

Work under the unit price component is only an estimated value and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term. [Financial Services, Byron E. Johnson, (915) 541-4308]

**7B.** Solicitation No.: 2005-100 Ysleta and Henderson Health Centers Re-Roofing and Mechanical Improvements  
 Location: 101 Candelaria (Ysleta)  
 721 S. Mesa (Henderson)  
 Contractor: Matyear Construction Co., Inc.  
 El Paso, TX

Department: El Paso City-County Health and Environmental District  
 Funds Available: 14200405-PBE04HE102-29164-508027 (Ysleta)  
 14200405-PBE04HE101-29163-508027 (Henderson)  
 Funding Source: 2005 Bond Election  
 Items: Base Bid I \$156,817.00  
 Base Bid II \$300,000.00  
 Total Award: \$456,817.00  
 Estimated Completion Date: December 30, 2005  
**District (s): 6 Ysleta / 8 Henderson**

**RECOMMENDATION:**

The Departments of Engineering and El Paso City County Health District recommend the award of this contract to Matyear Construction Co., Inc., as this Offeror has provided the Best Value Proposal. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

Estimated completion date for this project is December 30, 2005.

[Financial Services, Byron E. Johnson, (915) 541-4308]

**7C.** Solicitation No.: 2005-204 Bulk Waste Crane Truck  
 Award to: Southwest Truck Sales  
 El Paso, TX  
 Item(s): #1, Quantity 2 @ \$123,333.00/each  
 Amount: \$246,666.00  
 Department: Environmental Services  
 Funds available: 34340200-508006-40415  
 Funding source: Solid Waste Funds / Equipment 2004  
 Total award: \$246,666.00  
**District (s): All**

The General Services and Financial Services Departments recommend award as indicated to the lowest responsive offer meeting specifications from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase Bulk Waste Crane Trucks. No option to purchase additional quantities was offered. No prompt payment discount was offered. [Financial Services, Barbara Crumley, (915) 541-4315]

**7D.** Solicitation No.: 2005-251 Thirst Quencher Fluid Replenishment Beverage  
Award to: Depot USA  
El Paso, TX  
Item(s): #1  
Amount: \$75,000.00 (estimated annually)

Department: Various  
Funds available: 37370155-503123-45202  
Funding source: Various -  
(All City Departments will be using this contract)  
Total award: \$150,000.00 (estimated)  
**District (s): All**

The General Services and Financial Services Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

The low bidder did not have a sugar free product available. Depot USA is the combined low bid for items 1 and 1A.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within one (1) year from the date of the award.

This is a Requirements Type Contract with an initial term of Twenty-Four (24) months. [Financial Services, Jesus M. Juarez, (915) 541-4317]

## **8. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:**

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

**8A.** Burges High School to hold a homecoming parade on October 19, 2005 from 6:00 p.m. to 7:30 p.m. Route: Start at Burges High School student parking lot on Edgemere, turn right on Edgemere and go around Edgemere Park median to finish at the parking lot. Approximately 550 persons, 25 vehicles, 8 floats will take part and 500 spectators are anticipated.

PERMIT # 05-143 [Carol Jarman] **(District 3)**

NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 13 OFFICERS AND 13 VEHICLES. ESTIMATED COST TO CITY: \$426.00; ESTIMATED COST TO APPLICANT: \$874.00. THE OFFICE OF DEVELOPMENT SERVICES RECOMMENDS APPROVAL.

- 8B.** Faith Christian Academy to hold a homecoming parade on October 14, 2005 from 1:30 p.m. to 3:00 p.m. Route: Start at Abundant Living Faith Center parking lot on Valley Crest, turn left on Valley Crest to Escobar, turn left on Escobar and finish at Faith Christian Academy parking lot. Approximately 480 persons, 16 vehicles pulling 16 trailers will take part and 80 spectators are anticipated. PERMIT # 05-145 [Monica Yvette Carroll] **(District 7)**  
NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 3 OFFICERS AND 3 VEHICLES. ESTIMATED COST TO CITY: \$125.00 ESTIMATED COST TO APPLICANT: \$25.00. THE OFFICE OF DEVELOPMENT SERVICES RECOMMENDS APPROVAL.
- 8C.** St Clement's Episcopal School to hold a 1-mile run on October 29, 2005 from 8:00 a.m. to 10:00 a.m. Route: Start on Yandell between Williams St and Dallas St, proceed on Yandell to church parking lot, turn left at parking lot and finish at the field. Approximately 200 persons, 2 vehicles will take part and 50 spectators are anticipated. This request includes permission to use amplification (1 microphone and 1 speaker). PERMIT # 05-144 [Patricia Jacobes] **(District 8)**  
NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 8 OFFICERS AND 8 VEHICLES. ESTIMATED COST TO CITY: \$213.00; ESTIMATED COST TO APPLICANT: \$187.00. THE OFFICE OF DEVELOPMENT SERVICES RECOMMENDS APPROVAL.
- 8D.** World Apostolate of Fatima to hold a procession on October 15, 2005 from 7:00 a.m. to 8:30 a.m. Route: Start at Saint Patrick Parish parking lot on Arizona, turn left on Arizona to Oregon, turn left on Oregon to Missouri, turn right on Missouri to Santa Fe, turn left on Santa Fe and finish at El Paso Convention & Performing Arts Center. Approximately 800 persons will take part. PERMIT # 05-146 [Azucena G Lopez] **(District 8)**  
NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 6 OFFICERS AND 6 VEHICLES. ESTIMATED COST TO CITY: \$291.00 ESTIMATED COST TO APPLICANT: \$159.00. THE OFFICE OF DEVELOPMENT SERVICES RECOMMENDS APPROVAL.
- 8E.** City of El Paso to block off Cheryl Ladd between Karl Wyler and Dean Martin on October 12, 2005 from 9:00 a.m. to 12:00 p.m. for a ribbon celebration. Approximately 75 persons and 4 vehicles will take part. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". This request includes permission to use amplification (1 microphone and 2 amplifiers). PERMIT # 05-156 [Eddie Holguin, Jr.] **(District 6)**  
NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF DEVELOPMENT SERVICES RECOMMENDS APPROVAL.



**REGULAR AGENDA****9. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

**Public comment typically is not taken during the introduction of ordinances.  
Public comments are invited at the date of the scheduled public hearing.**

- 9A.** An ordinance granting a Special Privilege to the El Paso Downtown Management District authorizing the encroachment of temporary street displays (banners) over portions of public right-of-way to be placed within the Downtown Banner District (Fee: \$10.00, SP-05022) **(District 8)** [Planning, Esther Guerrero, (915) 541-4720]

**PUBLIC HEARING WILL BE HELD ON OCTOBER 25, 2005 FOR ITEM 9A**

- 9B.** An Ordinance changing the zoning of a 2.7619 acre portion of Lot 1, Block 10, Newport Estates Unit Two, El Paso, El Paso County, Texas from A-O/sc (Apartment-Office/special contract) to C-1/sc (Commercial/special contract). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 2200 Block of Beachfront. Applicant: SEAB, L.P. ZON05-00085 **(District 5)** [Planning, Christina Valles, (915) 541-4930]
- 9C.** An Ordinance granting Special Permit No. ZON05-00087, to allow for a Planned Residential Development on Loma Linda Unit Four, El Paso, El Paso County, Texas, pursuant to Section 20.14.040 (Zoning) of the El Paso Municipal Code. The penalty is as provided for in Chapter 20.68 of The El Paso Municipal Code. Subject Property: 11500 Block of Edgemere. Applicant: JNC Land Development Co. ZON05-00087 **(District 5)** [Planning, Christina Valles, (915) 541-4930]
- 9D.** An Ordinance granting Special Permit No. ZON05-00089, to allow for a parking reduction on the property described as Lots 5 to 8, Block 17, Franklin Heights, El Paso, El Paso County, Texas, pursuant to Section 20.64.175 of the El Paso Municipal Code. The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 1208 Myrtle. Applicant: Opportunity Center for the Homeless. ZON05-00089 **(District 8)** [Planning, Christina Valles, (915) 541-4930]

**PUBLIC HEARING WILL BE HELD ON NOVEMBER 1, 2005 FOR ITEMS 9B – 9D**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

**10. MAYOR AND COUNCIL:**

Briefing on the Mayor's trip to Washington, DC. [Mayor John F. Cook, (915) 541-4145]

**11. BUDGET TRANSFERS:** [Office of Management and Budget, David Almonte, (915) 541-4011]**11A. BT2006-042 ENVIRONMENTAL SERVICES**

Separation of the department, Special Collections function from the Residential Collections function in order to more effectively track the activity costs of each program. **(All Districts)**

Decrease	\$1,169,540	from	34010291/40403	Various appropriations line items
Increase	\$1,169,540	to	34010294/40450	Various appropriations line items

**11B. BT2006-043 OMB**

Increase to the reimbursable fund for the tracking of all costs associated with any and all measures taken by the City of El Paso to provide relief to the evacuees the City has received from New Orleans due to Hurricane Katrina.

Increase	\$2,000,000	to	22150024/G22060407172/406000	FedGrntProc
Increase	\$2,000,000	to	22150024/G22060407172/505200	CommSvcProj

**12. ENGINEERING:** [Engineering Department, Rick Conner, (915) 541-4200]

Discussion and action on a Resolution that the City Manager be authorized to sign an Agreement for Engineering Services by and between the CITY OF EL PASO and BATH ENGINEERING CORPORATION, for a one (1) year period for an amount not to exceed FIVE HUNDRED THOUSAND AND 00/100 DOLLARS (\$500,000.00). **(Citywide)**

**13. FINANCIAL SERVICES:** [Financial Services, Byron E. Johnson, (915) 541-4308]**13A. BEST VALUE PROCUREMENT:**

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

Solicitation No.:	2005-241	Fire Station No. 35
Location:		12230 Pine Springs Drive
Contractor:		Blair-Hall Co., Inc.
		El Paso, Texas

Department:	Fire
Funds Available:	14200404-PBE04FI105-29162-508027
Funding Source:	2004-General Obligation Bond
Items: Base Bid 1	\$1,252,000.00
Total Award:	\$1,252,000.00
Estimated Completion Date:	May 29, 2006
<b>District (s):</b>	<b>6</b>

**RECOMMENDATION:**

The Departments of Financial Services, Engineering, and Fire recommend that Jan-Car, Inc., the low bidder, be allowed to withdraw their bid without prejudice or forfeiture of their bid security.

The Departments of Engineering and Fire recommend the award of this contract to Blair-Hall, Co., Inc., as this Offeror has provided the Best Value Proposal. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

[Financial Services, Byron E. Johnson, (915) 541-4308]

**13B. BID:**

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

Solicitation No.: 2005-195      City County Health Administrative Facility Phase II  
 Location:                              5115 El Paso Drive  
 Contractor:                            Jan-Car, Inc.  
                                                   El Paso, TX

Department:                            El Paso City County Health and Environmental District  
 Funds Available:                      41150015-41150023-PPW0203-05534-06105-  
                                                   508027-508035

Funding Source:                      Texas Dept. of Health, Office of Public Health  
                                                   Preparedness Grant FY-2005 D3

Items:                                  Base Bid                      \$995,000.00

Total Award                            \$995,000.00

Estimated Completion Date:      May, 2006

**District (s):                            3**

**RECOMMENDATION:**

The Departments of Engineering, City County Health and Environmental District and the Consultant, Mijares-Mora Architects, recommend the award of this contract to Jan-Car, Inc., as this Offeror has provided the Best Value Proposal. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

[Financial Services, Byron E. Johnson, (915) 541-4308]

**13C. Approve Change Order No. Four (4) (Construction Change) to Golf Works, Inc. for Contract No. 2005--050, EPIA Golf Course project, located at El Paso International Airport, Global Reach, for an increased amount of \$555,311.40.**

**ITEM 1:**      Increase Bid Item XV, Line Item 2D, Sod Tifway (419) Bermuda grass, under Section A. Golf Course Construction by 10 acres at a unit cost of \$11,238.48 for a total cost of \$112,384.80.

**ITEM 2:**      Add Line Item to provide durable turf covers for greens surface (160,000 sf) at a cost of \$33,672.00.

- ITEM 3: Add Line Item to buffalo sod native areas at a unit cost of \$21,039.48/acre for 2 acres at a total cost of \$42,078.96.
- ITEM 4: Decrease Bid Item XV, Line Item 5C, Hydroseed Native Area Grass Option 1, under Section A. Golf Course Construction by 2 acres at a unit cost of \$3,520.00/acre for a total credit of \$7,040.00.
- ITEM 5: Add Line Item for Tifway (419) Bermuda grass Sod in Spring 2006 at a unit price of \$12,109.48/acre for 17 acres at a total cost of \$205,861.16.
- ITEM 6: Decrease Bid Item XV, Line Item 2C, Sprig Tifway (419) Bermuda grass (1,000 U.S. Bushels per acre), under Section A. Golf Course Construction, by 25 acres at a unit cost of \$2,625.00/acre for a total credit of \$65,625.00.
- ITEM 7: Add Line Item to provide for remobilization costs to be incurred by contractor for requiring contractor to cease operations during winter and extend contract to July 14, 2006. Cost of \$157,000.00.
- ITEM 8: Add Line Item to cover costs of shaping and clean up that will be required when contractor resumes work in 2006. Costs to be incurred as per Contractor's Change Request titled "Additional Shaping and Cleanup" dated August 31, 2005. Cost of \$75,809.48.
- ITEM 9: Add Line Item to increase mulch rate to 1200-1500 lbs/acre at a unit cost of \$450.00/acre for 7 acres at a total cost of \$3,150.00.
- ITEM 10: Add Line Item to hand plug buffalo sod over seeded areas in Spring 2006 at a unit cost of \$420.00/acre for 7 acres at a total cost of \$2,940.00.
- ITEM 11: Extend Grassing Deadline to June 1, 2006. Extend Construction Contract Time Frame by 219 days for a revised completion date of July 14, 2006.
- ITEM 12: Revise Bid Item I, Line Item 1, 1-1/2" Water, 4" force main and lift station under Section D. Water and Sewer (Restrooms). Instead provide for construction of a holding tank and 2" water line at a credit of \$4,920.00.

The revised scheduled completion date is July 14, 2006  
 [Financial Services, Byron E. Johnson, (915) 541-4308]

#### **14. PUBLIC HEARINGS – ENGINEERING, TRAFFIC:**

[Engineering, Traffic - Ted Marquez, (915) 541-4035]

- 14A.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.200 (Schedule XVII - Restrictions on Parking in Residential Districts), of the El Paso Municipal Code, to amend Zone F: No Parking Any Time. The penalty being as provided in Section 12.85.110 (Violation - Penalty) of the El Paso Municipal Code. **(District 8)**

- 14B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited at all times on Certain Streets) to add a new location on Cielo Vista Drive from a point 120 feet South to a point 300 feet North of Avalon Drive, both sides. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code. **(District 3)**
- 14C.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited at all times on Certain Streets) to add a new location on Hague Road between Oregon Street and Mesa Street, South side. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code. **(District 8)**
- 14D.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited at All Times on Certain Streets) to amend: i) a location on Clark Drive from Dulaney Avenue to Trowbridge Drive, both sides; and ii) a location on Clark Drive, extending approximately seventy-six feet North from the North curbline of the Trowbridge Drive Access Road, both sides. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code. **(District 3)**

**15. PUBLIC HEARINGS – PLANNING:**

- 15A.** An Ordinance changing the zoning of a portion of Lot 2, Block 9, Lafayette Place, El Paso, El Paso County, Texas from C-1 (Commercial) to C-4/C (Commercial/Condition). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 8021 N. Loop Road. Applicant: Jorge Rivera and Blanca Serrano. ZON05-00069 **(District 7)**  
[Planning, Christina Valles, (915) 541-4930]
- 15B.** An Ordinance granting Special Permit No. ZON05-00071, to allow for Shops for the Conduct of Retail Business on the East ½ of Lots 19 and 20, Block 58, Campbell Addition, El Paso, El Paso County, Texas, pursuant to Section 20.61.060.K (Zoning) of the El Paso Municipal Code. The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 303 & 305 Eighth Street. Applicant: Jorge Valenzuela. ZON05-00071 **(District 8)**  
[Planning, Christina Valles, (915) 541-4930]
- 15C.** An Ordinance changing the zoning of a portion of Section 22, Block 81, Township 1, Texas and Pacific Railroad Co. Surveys, El Paso, El Paso County, Texas from R-3A/SC (Residential/Special Contract) to C-3/SC (Commercial/Special Contract). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 10700 block of US Highway 54. Applicant: Camino Real Investments. ZON05-00074 **(District 4)**  
[Planning, Christina Valles, (915) 541-4930]
- 15D.** An Ordinance changing the zoning of the East 4 feet of Lot 21, all of Lot 22, and the West 10.5 feet of Lot 23, Block 92, Bassett's Addition, El Paso, El Paso County, Texas from A-2 (Apartment) to A-O (Apartment-Office). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 2611 Montana Avenue. Applicant: Lisa Quintana and Diane Quintana. ZON05-00075 **(District 8)** [Planning, Christina Valles, (915) 541-4930]

- 15E.** An Ordinance changing the zoning of Tract 465, Sunrise Acres No. 1, El Paso, El Paso County, Texas from R-4 (Residential) to R-3A (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 9000 Block of Neptune. Applicant: Center Line Home Builders/Juan Licon. ZON05-00076 **(District 2)** [Planning, Christina Valles, (915) 541-4930]
- 15F.** An Ordinance changing the zoning of Tract 7L5, Fresno Place, El Paso, El Paso County, Texas from R-F (Ranch-Farm) to R-3 (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 100 block of Fresno. Applicant: Adan & Francisco Baca & Sal Romo. ZON05-00077 **(District 7)** [Planning, Christina Valles, (915) 541-4930]
- 15G.** An Ordinance granting Special Permit No. ZON05-00083, to allow for a parking reduction on the property described as a portion of Lots 11-15, Block 214, Alexander Addition, El Paso, El Paso County, Texas, pursuant to Section 20.64.175 of the El Paso Municipal Code. The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 300 Cincinnati Street. Applicant: Wolfe Commonwealth I, Ltd. ZON05-00083 **(District 1)** [Planning, Christina Valles, (915) 541-4930]
- 15H.** An Ordinance granting a Special Privilege to the El Paso Sports Commission to temporarily close a portion of Boone Street between Paisano Drive and Delta Drive on the following dates: Wednesday, October 12, 2005; Thursday, October 13, 2005; Friday, October 14, 2005; Saturday, October 15, 2005; Sunday, October 16, 2005; Friday, October 21, 2005; Sunday, October 23, 2005; Monday, October 24, 2005; Thursday, October 27, 2005; Tuesday, November 1, 2005; Friday, November 11, 2005; Sunday, November 20, 2005; Wednesday, November 23, 2005; Saturday, November 26, 2005; Thursday, December 1, 2005; Saturday, December 3, 2005; Sunday, December 4, 2005; and Saturday, December 31, 2005 to stage four lanes of incoming traffic for events being held at the El Paso County Coliseum. (Fee: \$990.00 SP-05021) **(District 8)** [Planning, Esther Guerrero, (915) 541-4720]
- 16. CITY MANAGER:** [City Manager, Joyce A. Wilson, (915) 541-4844]  
City Manager's report of current events and issues.  
  
Briefing on 2005 tax bills.  
[Tax Office, Juan Sandoval, (915) 541-4369]
- 17.** The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.  
  
Section 551.071 CONSULTATION WITH ATTORNEY  
Section 551.072 DELIBERATION REGARDING REAL PROPERTY  
Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS  
Section 551.074 PERSONNEL MATTERS  
Section 551.076 DELIBERATION REGARDING SECURITY DEVICES  
Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

**17A.** Discussion and Action on the claim of Mark Briggs (551.071)  
[City Attorney's Office, Laura P. Gordon, (915) 541-4550]

**17B.** Isabel Burke and Cecilia Aguirre vs. City of El Paso; Cause No. EP-03-CA-0426-FM in the U.S. District Court for the Western District of Texas (551.071)  
[City Attorney's Office, Jennifer F. Callan (915) 541-4550]

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

**ALL CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY  
AT THE ADDRESS BELOW:**

<http://www.elpasotexas.gov>